

# Water Quality in Alabama: The Role of the Alabama Forestry Commission

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**T**he role of the Alabama Forestry Commission (AFC) is to educate all participants in forestry operations about the need to use Best Management Practices (BMPs) for Forestry to protect water quality. The use of BMPs is voluntary. However, we encourage their use to prevent the potential for violating federal and state water quality laws. BMPs have proven effective in this effort. We also offer our technical assistance to help prevent water quality complaints involving forestry.

Enforcement of the Alabama Water Pollution Control Act is by monitoring and responding to complaints. In forestry, the monitoring is done on a formal, statistically sound basis by the AFC. When a problem is discovered, the Commission works with the operator and landowner, following the same procedures as for a citizen complaint. When a citizen complaint about improper harvesting is filed, the Alabama Department of Environmental Management (ADEM) refers the complaint to the AFC for investigation.

Commission personnel will visit the site and look for lack of compliance with the BMPs and other obvious problems. If problems are found, the AFC discusses them with the logger, the supervising forester, and the landowner, suggesting ways to clean up the site and prevent future problems. Recommendations might include removal of tops and other debris from the stream, stabilization of roads, disturbed stream banks, stream crossings, skid trails and/or landings, and proper disposal of trash. Usually a 30-day clean up period is granted, after which the site is reinspected. In nearly all cases the site is

acceptable after clean up and the case is closed.

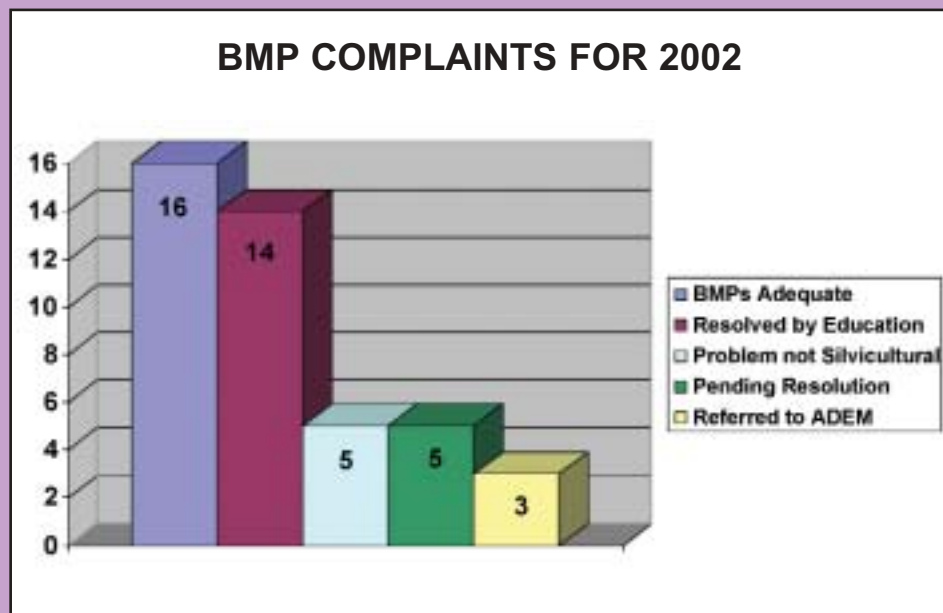
If the harvester and/or landowner refuses to clean up the damage, the case is referred to the State Forester's office and then to ADEM. ADEM has the legal authority and responsibility to protect water quality from either point or non-point sources of pollution. Violators may be subject to civil penalties of up to \$25,000 per day per violation unless effective actions are taken *immediately* to correct water quality impairment. These fines can be filed against all involved persons. Less than ten percent of BMP investigations statewide end up being referred to ADEM.

## Description of Specific AFC Tasks Related To Water Quality

The following tasks have been identified by the Alabama Forestry Commission and are essential elements of the management plan to achieve Non-Point Source (NPS) pollution control from silvicultural activities.

### 1. Complaint Investigation

County AFC personnel will investigate any BMP complaints filed by the public or referred by ADEM or the Sustainable Forestry Initiative "hot-line." (A summary of the activities for Fiscal Year 2002 is found in the accompanying table.)



*The 43 BMP complaints that the Alabama Forestry Commission responded to this year represents the highest number of complaints received during any previous year.*

## 2. Basic Monitoring

Each year the Commission performs random aerial monitoring of logging operations over half of the state. (In Fiscal Year 2002, a total of 213 randomly selected harvest sites in the Southwest and Southeast Regions were aerially inspected. The northern regions will be monitored in Fiscal Year 2003.)

Additionally, each county monitors six harvesting operations each year, also selected at random, using the BMP monitoring form.

## 3. Intensive Monitoring

BMP monitoring activity will be increased in the ten highest severance tax counties to the level of eight harvest inspections per year, in addition to complaint investigations.

## 4. Cost Share Programs

There are several cost-sharing programs that assist landowners in developing their forest. These include the Forestry Incentives Program (FIP), the Alabama Agricultural & Conservation

Development Commission Program (AA&CDC), the Conservation Reserve Program (CRP), and the Stewardship Incentives Program (SIP). These programs refund the cost of forestry operations that meet certain specifications. The Commission provides technical assistance for these programs and includes BMP specifications in all operations on the landowner's property.

## 5. On-the-Ground, One-on-One Training

Commission personnel conduct this training in response to complaints and also during inspections. If an operator is misusing BMPs, it is easy to show him his mistakes on the property and show him how to improve future operations. This practice has proven effective in the past.

## 6. TREASURE Forest

The *TREASURE Forest* program encourages landowners, through public recognition, to manage their land in a balanced, ecologically-based manner

under a multiple-use system. Landowners target two specific land uses, while they work to enhance the entire forest ecosystem. One mandatory requirement is the use of BMPs in all forestry operations.

## 7. Publications & Booklets

Magazine articles, booklets, pamphlets, and presentations about Alabama's BMPs are used in outreach and education.

## Summary

Overall, the Commission data for 2002 indicated a BMP compliance rate of about 95 percent. This signifies that loggers across Alabama are following Best Management Practices for Forestry. ♣

## EPA Withdraws TMDL Rules – Finally!

The Environmental Protection Agency (EPA), on March 19, published the withdrawal of the Total Maximum Daily Load (TMDL) regulations issued by the Clinton administration in August 2000. The Clinton regulations were controversial from the time they were proposed in 1999. Almost simultaneous with their issuance in 2000, Congress passed a law preventing the regulations from going into effect and ordering various studies of their effectiveness. The TMDL program is a backstop measure by which states target waters that remain polluted after technological remedies have been applied to known sources. Various lawsuits were filed challenging the 2000 regulations, including one by the American Forest & Paper Association. The EPA obtained a suspension of the litigation through April 2003 to allow time to further review the TMDL program, the 2000 regulations, and the studies ordered by Congress. The EPA has not decided whether to continue with the pre-2000, reinstated regulations or to propose a new set of revisions. The agency had floated several ideas last year under the heading of a "watershed rule," but has now made clear that it has no schedule for proposing a new rule. ♣

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Reprinted from *Forest Resources* (3/21/03), a publication of the **American Forest & Paper Association, Inc.**

